

MEMORANDUM OF POINTS AND AUTHORITIES

31 U.S.C. § 3730(b)(2), entitled “Civil actions for false claims,” states as follows:

A copy of the complaint and written disclosure of substantially all material evidence and information the person possesses shall be served on the Government pursuant to Rule 4(d)(4) of the Federal Rules of Civil Procedure. **The complaint shall be filed in camera, shall remain under seal for at least 60 days**, and shall not be served on the defendant until the court so orders. The Government may elect to intervene and proceed with the action within 60 days after it receives both the complaint and the material evidence and information.

Here, Relator Judy Anne Mikovits is filing her concurrently filed First Amended Complaint pursuant to the Federal False Claims Act, 31 U.S.C. Sections 3729-3733, and pursuant to 31 U.S.C. Section 3730(h) which protects whistleblowers from retaliation. Accordingly, Relator is hereby seeking the Court’s approval to have this matter lodged under seal. Relator is concurrently serving the First Amended Complaint on the appropriate governmental entities pursuant to Rule 4(d)(4) of the Federal Rules of Civil Procedure.

Dated: 7/27/15

/s/ Robert J. Liskey
Robert J. Liskey
Attorney for Relator Judy
Anne Mikovits